

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 3RD DAY OF MARCH 2015/12TH PHALGUNA, 1936

Crl.MC.No. 1088 of 2015 ()

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CC. NO.2247/2014 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I,
KOTTARAKKARA.**

CRIME NO. 1915/2013 OF EZHUKONE POLICE STATION.

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PETITIONERS/ACCUSED:

- 1. RAJEEV, S/O.RAVEENDRAN,
AGED 37 YEARS, PUSHPA VILASOM VEEDU,
KARUVELIL. P.O., EZHUKONE, KOLLAM DISTRICT.**
- 2. RAVEENDRAN, S/O.KESAVAN,
AGED 66 YEARS, PUSHPA VILASOM VEEDU,
KARUVELIL. P.O., EZHUKONE, KOLLAM DISTRICT.**
- 3. PUSHPAVALLY, W/O.RAVEENDRAN,
AGED 60 YEARS, PUSHPA VILASOM VEEDU,
KARUVELIL. P.O., EZHUKONE, KOLLAM DISTRICT.**
- 4. RENJU, D/O.RAVEENDRAN,
AGED 36 YEARS, SREYAS, KARUVELIL. P.O.,
EZHUKONE, KOLLAM DISTRICT.**

BY ADV. SRI.ALEXANDER GEORGE.

RESPONDENTS/COMPLAINANT/STATE:

- 1. STATE OF KERALA,
REPRESENTED BY ITS DIRECTOR OF PUBLIC PROSECUTION,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
EZHUKONE POLICE STATION, KOTTARAKKARA,
KOLLAM DISTRICT-691 516.**
- 3. ANUPAMA RAJ, D/O.RAJENDRAN, AGED 25 YEARS,
ASWATHY BHAVAN, PERUMPUZHA. PO.,
KUNDARA, KOLLAM DISTRICT-691 003.**

**R1 & R2 BY PUBLIC PROSECUTOR SRI.JIBU P.THOMAS.
R3 BY ADV. SRI.D.SREEKUMAR (KALAMASSERY).**

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 03-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

**ANNEXURE-1 A TRUE COPY OF THE CHARGE SHEET IN CRIME NO.1915/2013
OF EZHUKONE POLICE STATION.**

**ANNEXURE-2 A TRUE COPY OF THE AFFIDAVIT FILED BY
THIRD RESPONDENT.**

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.A TO JUDGE

rs.

B.KEMAL PASHA, J.

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CRL.M.C. No.1088 of 2015

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Dated this the 3rd day of March, 2015

ORDER

Petitioners are accused in Crime No.1915 of 2013 of the Ezhukone Police Station registered for the offences punishable under Sections 323, 403, 465 and 498A read with Section 34 of the Indian Penal Code.

2. Petitioners have come up with this Crl.M.C. under Section 482 Cr.P.C. for getting Annexure-1 First Information Report in Crime No.1915 of 2013 of the Ezhukone Police Station and all further proceedings based on it in C.C.No.2247 of 2014 pending before the Judicial First Class Magistrate's Court-I, Kottarakkara, quashed.

3. The allegation against the petitioners is that they have tortured and harassed the defacto complainant, who is the wife of the 1st petitioner, and treated her with cruelty

within the meaning of Section 498A IPC, by demanding more dowry.

4. Heard learned counsel for the petitioners, the learned counsel for the defacto complainant, who is the 3rd respondent herein, and the learned Public Prosecutor.

5. According to the petitioners, all the matters in dispute between the petitioners and the defacto complainant have been amicably settled and presently the defacto complainant has no complaints against the petitioners and, therefore, the proceedings against the petitioners may be quashed.

6. The defacto complainant, who is the 3rd respondent herein, has filed an affidavit affirming that all the matters in dispute between her and the petitioners have been amicably settled and, therefore, she has no complaints against the petitioners, and, hence, all further proceedings in the matter referred to above can be quashed. She has entered appearance through her counsel. The learned

counsel for the defacto complainant also endorses the fact that the affidavit has been sworn in by the defacto complainant on her own volition.

7. When all the matrimonial disputes have been settled between the parties and as the defacto complainant has no complaints against the petitioners, it is only just and expedient in the interest of justice to quash the proceedings referred to above.

In the result, this Crl.M.C. is allowed and Annexure-1 First Information Report in Crime No.1915 of 2013 of the Ezhukone Police Station and all further proceedings based on it, in C.C.No.2247 of 2014 pending before the Judicial First Class Magistrate's Court-I, Kottarakara, are hereby quashed.

Sd/-
B.KEMAL PASHA
JUDGE

DSV/4/3/15

// True Copy //

P.A. To Judge

CRL.M.C.No.1088 of 2015

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